

grasping said sleeve at said spaced indents to compress said sleeve

e) said press sleeve.....fault current.

Claim 9 (Amended) A device as [In] in Claim 8.....and aluminum.

Claim 11 (Amended) A device as in Claim 8 wherein said sleeve has a diameter of 1/2" or 3/4, said conductor has a [dimension within] dimension within the range.....for a 3/4" sleeve.

REMARKS

As indicated above there are no assignees and Reissue Patent Application transmittal form has been enclosed to affirm that fact.

The Claims 8-11 have been amended to obviate a rejection under 35 USC 112.

Notation is made of the fact that Claims 1-7 have been allowed as well they should be as they are the original Claims allowed that resulted in U.S. Pat. 5,912,434.

The rejection of Claims 8-11 under 35 USC 251 as being an improper recapture of broadened claimed subject matter surrendered in the application for patent upon which the present reissue is based, is respectfully traversed.

Under MPEP 1402 Grounds for Filing, it is stated that said application is filed to correct an error which was made without any deceptive intention. The most common bases for filing a reissue application are:

(A) the claims are too narrow or too broad:

This is the reason for filing--the claims are too narrow. Specifically applicant's claim 1 in the patent with the recitation in paragraph d) said sleeve being in the form of a funnel having a lower, bifurcated, narrow end and a wider upper end having a cylindrical extension that threads into said inlet.....is too narrow.

Under MPEP 1412.02 Recapture of Canceled Subject Matter, it is stated that a Reissue will not be granted to "recapture" claimed subject matter which was surrendered in an application to obtain the original patent.

Under the two step test for recapture, the Examiner in the first step must determine in what respects the claims are broader. The second step is to determine whether the broader aspects of the reissue claim relate to surrendered subject matter. To determine whether an applicant surrendered particular subject matter the Examiner must look to the prosecution history. for arguments and changes to the claims made in an effort to overcome a rejection art rejection.

The Examiner in the last paragraph page 4 of her argument against patentability states;